

# **Exhibit 2**

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION

IN RE  
T & A PROPERTIES, LLC  
Debtor

Chapter 11  
Case No.:11-20546-JNF

**DEBTOR'S APPLICATION TO EMPLOY SPECIAL COUNSEL**

To the Honorable U.S. Bankruptcy Court:

With respect to this, the Debtor's Application to Employ Special Counsel, T & A Properties, LLC (the "Debtor"), respectfully represents that:

1. The Debtor filed a Voluntary Petition pursuant to Chapter 11 of the United States Bankruptcy Code on November 9, 2011.
2. The Debtor is the owner of nine multi-unit residential properties in East Boston, Massachusetts.
3. Two of the above -mentioned properties were severely damaged in separate fires in January, 2009 and March, 2010.
4. In December, 2010, the Debtor retained the services of Seth H. Hochbaum, Esq. of Regnante, Sterio and Osborne, LLP to handle its insurance claims resulting from the loss.
5. Prior to the commencement of this case, Attorney Hochbaum expended substantial time and effort in handling the Debtor's claims and has been successful in recovering portions of the claims.
6. The employment of Attorney Hochbaum is necessary to maximize the further recovery of the outstanding insurance claims for the benefit of the estate and its creditors. Because Attorney Hochbaum is already familiar with the facts and circumstances of the Debtor's claims,

his continued employment is necessary for their effective resolution.

7. To the best of the Debtor's knowledge, Seth H. Hochbaum, Esq. and Regnante, Sterio & Osborne, LLP represent no other entity in connection with the handling of the Debtor's bankruptcy proceedings and they hold no interest adverse to the interest of the Debtor with respect to these bankruptcy proceedings.

WHEREFORE the Debtor respectfully requests that this Honorable Court enter an order authorizing the employment of Seth H. Hochbaum, Esq., of Regnante, Sterio & Osborne, LLC for his continued representation of the Debtor in the handling of its insurance claims.

Respectfully submitted  
T & A Properties, LLC  
by its attorney

Dated: November 22, 2011

/s/ Timothy M. Mauser  
Timothy M. Mauser, Esq.  
1 Center Plaza, Suite 240  
Boston, MA 02108  
(617) 338-9080  
(617) 275-8990 (fax)  
[tmauser@mauserlaw.com](mailto:tmauser@mauserlaw.com)

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION

---

IN RE  
T & A PROPERTIES, LLC  
Debtor

---

Chapter 11  
Case No.:11-20546-JNF

**AFFIDAVIT OF PROPOSED SPECIAL COUNSEL**

I, Seth Hochbaum, hereby solemnly make oath that:

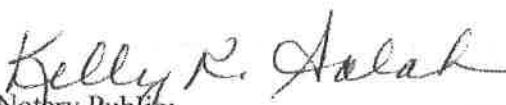
1. I am an attorney and counselor at law, duly admitted to practice law in the Commonwealth of Massachusetts.
2. I am an associate at the law firm Regnante, Sterio and Osborne, LLP and maintain an office for the practice of law at 401 Edgewater Place, Suite 630, Wakefield, Massachusetts, 01880.
3. Neither I, nor any member of my firm hold or represent any interest adverse to the above-named Debtor.
4. Neither I nor any attorney affiliated with Regnante, Sterio & Osborne, LLP have any connection with the above-named Debtor, its creditors, or any other party in interest herein, or their attorneys, except that since approximately December, 2010, I have represented T & A Properties, LLC in regards to its casualty loss claims resulting from separate fires which occurred in January, 2009 and March, 2010. I am, and each member of my firm is, a "disinterested person", as the term is defined in 11 U.S.C. § 101(14).
6. I have not agreed to share with any person the compensation to be paid for the services rendered in this case.
7. As of the date of the bankruptcy filing, I have not received any retainer for my

continued services. As of the Date of the bankruptcy filing, my outstanding fees for pre-petition services were \$1,979.50. The hourly rate for my services is \$270.00.

8. I shall amend this statement immediately upon my learning that (a) any of the within representations are incorrect or (b) there is any change of circumstances relating thereto.

9. I have reviewed the provisions of MLBR 2016-1.

  
Seth H. Hochbaum, Esq.



Notary Public:

My Commission Expires:



KELLY R. SALAH  
Notary Public

Commonwealth of Massachusetts  
My Commission Expires  
December 22, 2017

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION

IN RE

T & A PROPERTIES, LLC  
Debtor

Chapter 11  
Case No.:11-20546-JNF

**ORDER AUTHORIZING EMPLOYMENT OF SPECIAL COUNSEL**

Upon consideration of the Application of the Debtor for authority to employ Seth H. Hochbaum, Esq. of the law firm Regnante, Sterio and Osborne, LLP as special counsel to represent its interests in matters pertaining to its casualty loss claims, and it appearing that Seth H. Hochbaum is an attorney duly admitted to practice law in the Commonwealth of Massachusetts, and the Court being satisfied that he represents no interest adverse to said Debtor which would affect his ability to properly represent the Debtor, it is:

ORDERED, that the Debtor be and hereby is authorized to employ Seth H. Hochbaum, of the law firm Regnante, Sterio and Osborne, LLP for the purpose of representing it in matters pertaining to its interest in insurance proceeds arising from casualty losses occurring in January 2009, and March, 2010.

ORDERED, that the compensation of Attorney Hochbaum will be subject to the last sentence in 11 U.S.C. § 328(a); and it is further

ORDERED, that final compensation for Attorney Hochbaum and Regante, Sterio and Osborne, LLP will be determined by the Bankruptcy Court.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Joan N. Feeney  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION

---

IN RE  
T & A PROPERTIES, LLC  
Debtor

Chapter 11  
Case No.:11-20546-JNF

---

**CERTIFICATE OF SERVICE**

I, Timothy M. Mauser, hereby certify that I have this day served upon the following parties a true and correct copy of the Debtor's Application to Employ Special Counsel via either ECF or United States Mail, postage prepaid:

**Via ECF**

John Fitzgerald, Esq., United States Trustee  
Paula Bachtell, Esq., United States Trustee

**Via United States Mail**

Fannie Mae  
3900 Wisconsin Avenue, NW  
Washington, D.C. 20016

Katherine Bachman, Esq.  
WilmerHale  
60 State Street  
Boston, MA 02109

Arbor Commercial Mortgage, LLC  
2801 Wehrle Drive, Suite 7  
Williamsville, NY 14221

T & A Properties, LLC  
c/o Mr. Aaron Daigneault  
40 Everett Street  
East Boston, MA 02128

Dated: November 22, 2011

/s/ Timothy M. Mauser

Timothy M. Mauser, Esq.  
1 Center Plaza, Suite 240  
Boston, MA 02108  
(617) 338-9080  
(617) 275-8990 (fax)